

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JUNE 20, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:15 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, JUNE 18, 2002

MOTION: Stevens moved and Campbell seconded approval of the Staff Meeting minutes of June 18, 2002. Stevens, Workman, Campbell and Heier voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Request to Release a Portion of the Loan Collateral for a Rural Enterprise Assistance Program (REAP) Loan for Michelle Criswell

MOTION: Heier moved and Campbell seconded approval of the addition to the agenda. Stevens, Workman, Campbell and Heier voted aye. Hudkins was absent from voting. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Meeting with Mayor Wesely - Workman, Heier

Report was given at the June 18, 2002 Staff Meeting.

B. Officials Committee - Workman, Heier

Workman said transportation documents were approved.

C. Families First & Foremost (F³) Conveners - Heier

Report was given at the June 18, 2002 Staff Meeting.

D. Visitors Promotion Advisory Committee - Workman

Report was given at the June 18, 2002 Staff Meeting.

Hudkins arrived at the meeting at 8:21 a.m.

ADDITIONS TO THE AGENDA

A. Request to Release a Portion of the Loan Collateral for a Rural Enterprise Assistance Program (REAP) Loan for Michelle Criswell

The Board reviewed the request (Exhibit A) and scheduled the item on the June 25, 2002 County Board of Commissioners Meeting agenda.

4 BUDGET WORKING SESSION - Dave Kroeker, Budget and Fiscal Officer

Tim Genuchi, Accounting Operations Manager for the County Clerk's Office, appeared and asked how the County Clerk's Office should handle claims for conference and registration fees in light of the Board's action to freeze certain expenditures, including travel. A list of pending claims was submitted (Exhibit B).

Board consensus was to allow the expenses on the list and to continue to review claims that are submitted. The Board also requested that Families First & Foremost (F³) indicate when travel is required by the F³ Grant.

Dave Kroeker, Budget and Fiscal Officer, said Don Killeen, County Property Manager, has questioned whether the hiring freeze applies to County/City Property Management.

Board consensus was to refer the question to the Public Building Commission.

The Board also addressed the following:

- * Request from County Court to replace a sound system microphone in Courtroom Ten (Exhibit C)

Board consensus was to authorize Peggy Gentles, Judicial Administrator for Lancaster County Court, to proceed with the replacement from the County Court Budget.

- * Estimate of maintenance costs for the Integrator Security System at the Lancaster County Juvenile Detention Center Director (Exhibit D)

The Board accepted the recommendation from Dennis Banks, Lancaster County Juvenile Detention Center Director, to proceed without a maintenance agreement and to track actual repair costs.

- * Microcomputer Request C#2002-216, \$624.12 from Juvenile Court Budget for Three (3) Compaq 17" Monitors (Exhibit E)

MOTION: Campbell moved and Hudkins seconded to defer the microcomputer request. Heier, Campbell, Workman, Hudkins and Stevens voted aye. Motion carried.

- * Request from County Sheriff to proceed with hiring of an applicant who has received a conditional offer of employment (Exhibit F)

Terry Wagner, Lancaster County Sheriff, appeared and explained that one of his deputies plans to retire in September, 2002 and another is on military deployment.

MOTION: Hudkins moved and Stevens seconded approval of the request. Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

- * Request from Community Mental Health Center to hire a part-time, on-call Emergency Service Worker (Exhibit G)

Board consensus was to place the request on hold and request additional information.

- * Request from the Purchasing Agent for authorization for the Assistant Purchasing Agent to attend a National Institute of Governmental Purchasers (NIGP) Conference (Exhibit H)

MOTION: Hudkins moved and Heier seconded approval. Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

- * 1) Additional Items to Consider - Building Fund; 2) Lancaster County Building Fund Budget; 3) Lancaster County Request for Capital Outlay, 2003 Budget; 4) 2002-3008 Capital Improvement Program, Aging (Exhibit I)

Campbell said renovation of the former Election Commission Building (555 South 9th Street) is primarily for County departments and recommended that the County assume responsibility for the expense, rather than the Public Building Commission (PBC). She said she believes the PBC should set a policy that would make renovation by an individual department the expense of its respective governing body, rather than spreading the cost through rent.

MOTION: Hudkins moved and Stevens seconded to authorize Dave Kroeker, Budget and Fiscal Officer, to process payments for the reconfiguration of space in the former Election Commission Building. Heier, Campbell, Stevens, Workman and Hudkins voted aye. Motion carried.

Kroeker said Killeen has recommended that a Nebraska Association of County Officials (NACO) lease be utilized to fund renovation costs for the former Attention Center Facility (2220 South 10th Street), rather than the budget. The cost of the lease could then be amortized through rent.

The Board requested additional information from CenterPointe, Inc., the lessee, regarding plans for the building.

Kroeker noted that the County is programmed to spend a total of \$340,000 for expansion of the Northeast Aging Services Center (Fiscal Years 2003-04 and 2004-05).

Hudkins said the City is negotiating for downtown space and questioned what the financial impact will be to the County (City and County split Aging's capital costs on a 50/50 basis).

Board consensus to request a briefing by Gina Dunning, Lincoln Area Agency on Aging Administrator, or a member of the Mayor's staff to assist the Board in planning for those expenses in the budget.

Hudkins said Killeen has recommended budgeting \$400,000 to \$500,000 for a vehicle storage building.

* Keno Fund, Fiscal Year 2002 Adopted Budget (Exhibit J)

Board consensus was to eliminate \$57,000 for Document Archive Writer and \$92,034 for Assigned Council Administrator from the list of projects.

The Board also asked for identification of costs related to Develop County Addressing System (3427) and Identify County Owned Property on G.I.S. (3427).

* LB 640 Application, County Juvenile Services Funds: 5/22/02 (Exhibit K)

* 1) 2002-2003 Budget Timeline ; 2) Excerpts from the Nebraska Budget Act (Exhibit L)

MOTION: Campbell moved and Hudkins seconded to reschedule the public hearing on the County's budget from August 13, 2002 to August 27, 2002.

FRIENDLY AMENDMENT: Heier proposed to retain the date of August 13, 2002, with the option to reschedule the public hearing as late as August 27, 2002.

The maker and seconder of the motion agreed to the amendment.

ON CALL: Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

5 BREAST FEEDING BROCHURE - Bonnie Coffey, Executive Director of the Lincoln-Lancaster Women's Commission

Bonnie Coffey, Executive Director of the Lincoln-Lancaster Women's Commission, requested approval of a brochure titled *City of Lincoln & Lancaster County Breastfeeding Policy* (Exhibit M).

The Board scheduled a presentation by Coffey on the July 2, 2002 County Board of Commissioners Meeting agenda.

6 PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney

MOTION: Hudkins moved and Stevens seconded to enter Executive Session at 9:30 a.m. for discussion of pending litigation. Heier, Campbell, Workman, Stevens, and Hudkins voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 9:40 a.m. Heier, Campbell, Hudkins, Stevens and Workman voted aye. Motion carried.

7 JUVENILE DETENTION CENTER BOARDING CONTRACTS - Mike Reddish, Nebraska Department of Health and Human Services (HHS); Dennis Banks, Lancaster County Juvenile Detention Center Director; Judy Foote, Lancaster County Juvenile Detention Center

Dennis Banks, Lancaster County Juvenile Detention Center Director, reported on efforts to negotiate an annual agreement with Nebraska Department of Health and Human Services (HHS) to house Office of Juvenile Services (OJS) youth at the Lancaster County Juvenile Detention Center. He said the daily per diem rate last year was \$160 and said a daily per diem rate of \$221 was initially proposed this year, based on a 50% occupancy rate. Banks said the projected daily per diem rate has increased to \$254 (Exhibit N) and said the increase is due to construction of a new facility and a lower population rate (average of 46 youth per day).

Mike Reddish, HHS, said the State will not pay a per diem rate higher than \$170, a 6.2% increase. He noted that there are four juvenile detention centers in Nebraska (Lincoln, Omaha, Madison and Gering) and said \$170 is the highest daily per diem rate paid to any of these facilities.

Heier suggested that the State consider placing more youth in the County's staff secure facility, which should help to lower the County's per diem cost.

Reddish said there is rationale for comparing the staff secure component to shelters, which receive a daily per diem rate of \$107.50, but said the State is willing to pay the same per diem rate for staff secure or secure detention. He agreed to push for more usage of the Lancaster facility.

In response to a question from Workman, Banks said a reduction in the per diem rate would make the Lancaster County Juvenile Detention Center more competitive.

Judy Foote, Lancaster County Juvenile Detention Center, noted that the County has an interlocal agreement with the City and said that per diem rate would need to be revised, as well.

Stevens asked whether the State or other counties would consider contracting for a fixed number of beds, with an upfront payment to guarantee space in the facility.

Campbell said it is worth pursuing the idea of a guaranteed contract, but cautioned that the other counties were resistant to the idea when the facility was being constructed. She also requested an assessment of the break even point for the County.

Reddish said he will provide data on the State's usage for the past few calendar years.

Heier said he would like the State to define the categories of youth that it would be placing in the Lancaster County Juvenile Detention Center.

Dave Johnson, Deputy County Attorney, noted that the contract is due to expire on July 1, 2002.

Board consensus was to extend the current daily per diem rate of \$160, on a monthly basis, until the budget is finalized.

8 JUVENILE DIVERSION SERVICES - Kit Boesch, Human Services Administrator; Jim Blue, Cedars Youth Services Executive Director; Susan Wood, Program Manager for Juvenile Diversion Services

Jim Blue, Cedars Youth Services Executive Director, gave an overview of the Juvenile Diversion Services Program (Exhibit O).

Susan Wood, Program Manager for Juvenile Diversion Services, said the program has had level funding for the past three years but said an increase is requested this year to compensate for a reduction in funding by the Crime Commission and an increase in the number of clients that are unable to pay for services. She noted that Cedars Youth Services has increased its financial support of the program an average of \$20,000, per year.

Kroeker said the County currently provides \$41,500 in funding to the program and an increase to \$51,500 is requested. The City currently provides \$28,500 in funding and an increase to \$33,500 is requested.

Blue noted that approximately 69% of the kids participating in the program are referred by the County Attorney's Office, which is comparable to the funding levels.

MOTION: Campbell moved and Stevens seconded to accept the budget request from Juvenile Diversion Services and to forward it for consideration at the July 9, 2002 City-County Common meeting.

Stevens remarked that the increase is substantial, but said the program will save the County substantial dollars down the line.

ON CALL: Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

RETURNING TO ITEM 4

* LB 640 Application, County Juvenile Services Funds: 5/22/02 (Exhibit K)

Kit Boesch, Human Services Administrator, appeared and reported that the State has frozen LB 640 (renames grants and provides for a county aid program under the Juvenile Services Act) funding. She noted that Items B, C & D reflect \$200,000 of funding commitments by Families First & Foremost (F³) which the State can use as match because it is a partner in the F³ Grant.

Campbell suggested that the Board: 1) Ask Sheryl Schrepf, Juvenile Mental Health Director, to contact Tim Koehn, Nebraska Department of Health & Human Services (HHS), and find out if the State is intending to use any of the money as match for the F³ Grant; 2) Schedule discussion with Gordon Kissel, Legislative Consultant, and start setting funding priorities.

Hudkins said he anticipates that the Nebraska Legislature's Appropriations Committee will ask the County to offer alternative cuts if it asks to have the LB 640 funding restored.

Stevens remarked that it may be necessary for the County to cut services. He said "There may be a limit to how much of this we can pick up without the responsibility coming back to us to raise tax rates to fund what we think they should be funding."

The Board scheduled discussion with Gordon Kissel, Legislative Consultant, on the July 18, 2002 and July 25, 2002 Staff Meeting agendas. The Board also directed Eagan to send an e-mail to the Management Team asking them to submit information on programs that they anticipate being cut in the Special Session to the Board prior to July 18, 2002.

9 A) MEMORANDUM OF UNDERSTANDING WITH REGION V AND CORNHUSKER PLACE; B) AMENDMENT OF NETWORK PROVIDER AGREEMENT WITH REGION V - Dean Settle, Community Mental Health Center Director; Mike Thew, Chief Deputy County Attorney; Dave Johnson, Deputy County Attorney

Memorandum of Understanding with Region V and Cornhusker Place

Dave Johnson, Deputy County Attorney, said the issue of transportation has not been resolved and recommended that the Board not sign the Memorandum of Understanding.

Amendment of Network Provider Agreement with Region V

Johnson distributed copies of amendment language that was submitted to Region V on June 17, 2002 articulating the reasons Lancaster County would be paid for housing post-commitments (Exhibit P). He also distributed copies of their response dated June 20, 2002 which deleted that explanation and defined post-commitment days as treatment (Exhibit Q). Johnson advised against signing the amendment.

MOTION: Campbell moved and Hudkins seconded to request the Chair to work with Kerry Eagan, Chief Administrative Officer, and the County Attorney's Office to draft a letter to Ron Ross, Nebraska Department of Health & Human Services Director, outlining the Board's concerns on reimbursement for post-commitments. Hudkins, Stevens, Workman, Campbell and Heier voted aye. Motion carried.

Mike Thew, Chief Deputy County Attorney, said it would also be helpful if the Board would encourage the Public Defender to file mandamus, rather than habeas corpus actions, as the District Court may force the State to take the post-commitments.

Joint Supervision of Psychiatrists for Community Mental Health Center and Blue Valley Mental Health

Dean Settle, Community Mental Health Center Director, reported that the concept of a psychiatric pool will be discussed by Region V providers at a meeting on June 24, 2002. He noted that Jill Rubottom, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, has expressed interest in using the interlocal agreement as the management technique for the psychiatric pool.

10 ACTION ITEMS

- A. Microcomputer Request C#2002-209, \$6,516.40 from Lancaster Manor Budget for Three (3) Compaq Pentium IV's, Monitors and Software

MOTION: Campbell moved and Hudkins seconded approval. Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

- B. Microcomputer Request C#2002-122, \$4,167.19 from Juvenile Grants/Families First & Foremost (F³) Budget for Two (2) Compaq Pentium IV's, Monitors and Software

MOTION: Heier moved and Campbell seconded approval. Hudkins, Stevens, Workman, Campbell and Heier voted aye. Motion carried.

- C. Support Letter for Americruise

MOTION: Heier moved and Campbell seconded approval.

Brief discussion took place with consensus to question prospective Convention and Visitors Bureau contractors on the issue of public/private funding of the event.

ON CALL: Heier, Campbell, Workman, Stevens and Hudkins voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

- A. County Board Office Reconfiguration and Presentation from JoAnne Kissel, Sinclair Hille & Associates Inc., Regarding Future Space Needs

Board consensus was to proceed with Option D for the office reconfiguration (see agenda packet) and to delay a presentation from JoAnne, Kissel, Sinclair Hille & Associates Inc. regarding future space needs until the Public Building Commission has been given a presentation on the Master Plan.

- B. Tour of Garner Industries

The Board scheduled a tour of Garner Industries, 7201 North 98th Street, immediately following the County Board of Commissioner Meeting on June 25, 2002.

Campbell exited the meeting at 11:10 a.m.

- C. Memorandum to County Departments Regarding Use of Personal Automobiles for County Business

MOTION: Hudkins moved and Stevens seconded to: 1) Authorize the Chair to send a memorandum to the directors and elected officials; 2) Send a memorandum from the Board to Lancaster County employees. Heier, Workman, Stevens and Hudkins voted aye. Campbell was absent from voting. Motion carried.

D. Drug Court Contract with State Probation

Johnson said Gary Lacey, County Attorney, has submitted a letter to Nebraska Supreme Court Chief Justice John Hendry identifying the issues. He noted that Juvenile Probation has two similar contracts, one involving the Juvenile Drug Court.

12 ADJOURNMENT

MOTION: Heier moved and Stevens seconded to adjourn the meeting at 11:14 a.m. Hudkins, Stevens, Heier and Workman voted aye. Campbell was absent from voting. Motion carried.

Bruce Medcalf
County Clerk